

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------------|--|------------------|---------------|
| Applicants: | Eric Berg; Krishna Kilambi | | |
| Assignee: | Siebel Systems, Inc. | | |
| Title: | Method and Apparatus to Facilitate Development of a Customer-Specific Business Process Model | | |
| Application No.: | 10/602,260 | Filing Date: | June 23, 2003 |
| Examiner: | Brett A. Feeney | Group Art Unit: | 3624 |
| Docket No.: | OIC0050US | Confirmation No. | 1943 |

Austin, Texas
May 24, 2012

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

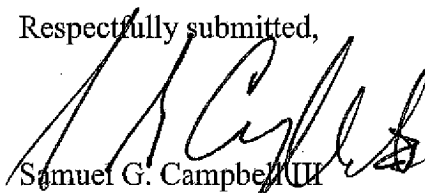
The above-identified application has been held abandoned for failure to respond to the Non-Final Office Action of February 26, 2010, which had a shortened statutory period set to expire May 26, 2010. This Non-Final Office Action was never received by applicants' current representatives. Pursuant to 37 C.F.R. § 1.181(a), the applicants respectfully petition the Commissioner to withdraw the holding of abandonment in the above-identified application and remail the non-received Final Office Action in light of the following points:

1. The original Non-Final Office Action of February 26, 2010 was never received by the applicants' current representatives, and thus the applicants could not have responded to the Non-Final Office Action within the statutory period.
2. Per MPEP §711.03(c)(I)(A), the applicants respectfully submit that a Petition to Withdraw Holding of Abandonment is proper under these circumstances. Accordingly, the undersigned states for the record that the original Non-Final Office Action of February 26, 2010 was not received by counsel for the applicants.

3. The undersigned also states for the record that applicants' current representatives have a docketing system for recording all Office Actions received at the correspondence address of record with the USPTO. Per the firm's procedures, all incoming Office Actions are entered into the docketing system promptly after receipt. The docketing system tracks the application number, attorney docket number, mail date of the Office Actions, and due dates for responses to the Office Actions. This docketing system is believed to be sufficiently reliable.
4. The undersigned states for the record that no hard copy of a master docket is known to exist that shows all replies for Campbell Stephenson (CS) LLP, applicants' current representatives, that are docketed for May 26, 2010, the three month date from February 26, 2010, the mail date of the nonreceived Office Action. However, attached is a copy of the docket for attorney SGC, the undersigned, which was printed November 16, 2011.
5. Attached is an invention data sheet that was recently printed from the docketing system for the instant application, which is identified by inventors, attorney docket number and title. The undersigned states for the record that the attached invention data sheet lists SGC as the responsible attorney for the instant application, and that SGC has been the responsible attorney for the instant application since April 1, 2010, a date that predates the three month due date of May 26, 2010. The undersigned states for the record that the docketing system will record the date when an update is made to the responsible attorney. The attached invention data sheet shows that no change has been made to the responsible attorney since April 1, 2010, the date of the last update to invention data for the instant application.
6. The undersigned states that the docketing system prints dockets for an individual attorney, which identify due dates for all Office Action replies that list the individual attorney as the responsible, supervising, or working attorney. The attached docket portion shows all replies due May 26, 2010 in which SGC (see far right hand side), the undersigned, is the responsible, supervising, or working attorney. A review of this docket portion shows no reply was due May 26, 2010 for the instant application, which supports the position that the original Non-Final Office Action of February 26, 2010, was not received by Applicants' current representatives.
7. The undersigned attests to the fact that a search of the file jacket and docket records indicates that the original Non-Final Office Action of February 26, 2010 was not received. Attached are copies of the docket record for this application and file jacket attached. These copies show that the Final Office Action was not entered into the docketing system per CS LLP's procedures and that the Final Office Action was not entered into the file jacket per the CS LLP's procedures.
8. The applicants therefore respectfully request that the holding of abandonment be withdrawn and the nonreceived Non-Final Office Action of February 26, 2010 be remailed.

In view of the remarks set forth herein, the applicants believe the holding of abandonment should be withdrawn, the nonreceived Final Office Action of February 26, 2010 should be remailed, and that no petition fee is required. Should any fee be due for this petition, please charge such fee to Deposit Account No. 502306. Should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

Respectfully submitted,



Samuel G. Campbell III

Attorney for Applicants

Reg. No. 42,381

Telephone: (512) 439-5084

Facsimile: (512) 439-5099

| New | Copy | Search | Save | Print | Delete | Undo | Exit |
|-----------------------------|------|--|------|--------------------------|--------|----------------------------|------|
| Case Number: OIC0050 | | | | | | | |
| Client: | | Oracle International Corporation | | | | | |
| Disclosure Status: | | Filed | | Disclosure Date: | | | |
| Owner: | | | | | | | |
| Attorney: | | SGC | | Client Reference #: | | SIEB193 | |
| Title: | | Method and Apparatus to Facilitate Development of A Customer-Specific Business Process Model | | | | | |
| Priority Country: | | US | | United States of America | | Priority Date: 23-Jun-2003 | |
| | | 2 Inventors: | | | | | |
| | | Berg, Eric | | | | | |
| | | Kilambi, Krishna | | | | | |
| User ID: bze386da | | Date Created: 02-Jun-2005 | | Last Update: 01-Apr-2010 | | | |

Due Date List By Date

26-May-2010 To 26-May-2010

| Due Date Indicator | Action Due Action Type | Case Number/SubCase Country | Status Client | App Number Pat Number | App Date Iss Date | Attys |
|--|-----------------------------|--|---|-----------------------|-------------------|-------|
| 26-May-2010 Due Date | Information Disclosure Stmt | OIC0333 / United States of America | Published Oracle International Corporation | 12/713591 | 26-Feb-2010 | SGC |
| Title: DEAL MANAGEMENT IN A CUSTOMER RELATIONSHIP MANAGEMENT ENVIRONMENT | | | | | | |
| 26-May-2010 Due Date | Information Disclosure Stmt | OIC0338 / United States of America | Published Oracle International Corporation | 12/713856 | 26-Feb-2010 | SGC |
| Title: Deal Analysis Workbench for a Customer Relationship Management Environment | | | | | | |
| 26-May-2010 Due Date | Check Priority Claim | OIC0338 / United States of America | Published Oracle International Corporation | 12/713856 | 26-Feb-2010 | SGC |
| Title: Deal Analysis Workbench for a Customer Relationship Management Environment | | | | | | |
| 26-May-2010 Due Date | Information Disclosure Stmt | VRT0289 / C1 United States of America | Pending Veritas Software Corporation | 12/713626 | 26-Feb-2010 | SGC |
| Title: System and Method For Managing Backup Operations of Virtual Machines | | | | | | |
| | | | | | | BAB |

Report Selection

- ☒ by Due Date
- ☐ by Due Date (Calendar)
- ☐ by Attorney
- ☐ by Attorney (Via Email)
- ☐ by Client

Report Format

- ☐ Concise
- ☒ Comprehensive

Remarks

- ☐ Print
- ☒ Do Not Print

Preview before printing ☒

From Date: 26-May-2010 To Date: 26-May-2010

Client: Attorney: sgc

Action Type:

Action Due:

Indicator:

Country: Area:

Status Codes:

- ☐ Active
- ☐ Inactive
- ☒ All

Status(es):

Country Application

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Case Number: OIC0050

Country: US

SubCase:

Client: Oracle International Corporation

United States of America

Case Type: ORD

Application Status: Pending

Applic. Title: Method and Apparatus to Facilitate Development of A Customer-Specific Business Process Model

Application Number: 10/602260

Filing Date: 23-Jun-2003

Publication Number:

Publication Date:

Patent Number:

Issue Date:

Parent/PCT Number:

Parent/PCT Date :

Parent Issue Number:

Parent Issue Date :

Agent:

Expiration Date:

PTA: 0

Agent Reference No.:

Tax Schedule: LE

Confirmation #:

Remarks: POA filed 8/16/06.

Rec'd Decision on Petition to Withdraw from Record dtd 9/6/05 - the request is dismissed as moot since POA to Blakely has been revoked. All future communications will be directed to CSA.

Rec'd Notice Re Change of POA dtd 8/31/06.

Rec'd Notice of Acceptance of POA and Notice Re Change of POA dtd 8/31/06.

Response to FINAL filed 9-25-08.

List Of Actions

| Action(s) Due | Due Date | | Action Taken |
|---------------------------|-----------------|----------|---------------------|
| IDS Filed | 30-Jan-2008 | Due Date | 30-Jan-2008 |
| 1 Month to Due Date | 13-Apr-2008 | Reminder | 15-May-2008 |
| 3 Month Due Date | 13-May-2008 | Due Date | 15-May-2008 |
| 1st Extension | 13-Jun-2008 | Reminder | 15-May-2008 |
| 2nd Extension | 13-Jul-2008 | Reminder | 15-May-2008 |
| 2 Weeks to Final Date | 28-Jul-2008 | Due Date | 15-May-2008 |
| 6 Month Final | 13-Aug-2008 | Final | 15-May-2008 |
| Advisory Action Received | 07-Oct-2008 | Final | 07-Oct-2008 |
| 2 Mo. Due Date - FINAL OA | 28-Oct-2008 | Reminder | 25-Sep-2008 |
| 3 Month Due Date | 28-Nov-2008 | Due Date | 08-Dec-2008 |
| RCE Filed | 08-Dec-2008 | Due Date | 08-Dec-2008 |
| 1st Extension | 28-Dec-2008 | Reminder | 08-Dec-2008 |
| 2nd Extension | 28-Jan-2009 | Reminder | 08-Dec-2008 |
| 2 Weeks to Final Date | 12-Feb-2009 | Due Date | 08-Dec-2008 |
| 6 Month Final Date | 28-Feb-2009 | Final | 08-Dec-2008 |
| Advisory Action DROP DEAD | 28-Feb-2009 | Due Date | 08-Dec-2008 |
| IDS for CPA/RCE | 08-Mar-2009 | Due Date | 08-Dec-2008 |
| 1 Month to Due Date | 10-May-2009 | Reminder | 10-Jul-2009 |
| 3 Month Due Date | 10-Jun-2009 | Due Date | 10-Jul-2009 |
| 1st Extension | 10-Jul-2009 | Reminder | 10-Jul-2009 |
| 2nd Extension | 10-Aug-2009 | Reminder | 10-Jul-2009 |
| 2 Weeks to Final Date | 25-Aug-2009 | Due Date | 10-Jul-2009 |
| 6 Month Final | 10-Sep-2009 | Final | 10-Jul-2009 |
| 2 Mo. Due Date - FINAL OA | 20-Dec-2009 | Reminder | 21-Dec-2009 |
| Advisory Action Received | 30-Dec-2009 | Final | 20-Jan-2010 |
| 3 Month Due Date | 20-Jan-2010 | Due Date | 20-Jan-2010 |
| RCE Filed | 20-Jan-2010 | Due Date | 20-Jan-2010 |
| 1st Extension | 20-Feb-2010 | Reminder | 20-Jan-2010 |
| 2nd Extension | 20-Mar-2010 | Reminder | 20-Jan-2010 |
| 2 Weeks to Final Date | 04-Apr-2010 | Due Date | 20-Jan-2010 |
| 6 Month Final Date | 20-Apr-2010 | Final | 20-Jan-2010 |

Country Application

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| | | | |
|---------------------------|-------------|----------|-------------|
| Advisory Action DROP DEAD | 20-Apr-2010 | Due Date | 20-Jan-2010 |
| IDS for CPA/RCE | 20-Apr-2010 | Due Date | 28-May-2010 |
| Respond to Abandonment | 25-Nov-2010 | Due Date | |

User ID: bzepea

Date Created: 13-Jun-2006

Last Update: 26-Sep-2008

| | | |
|--|--|-------------------------------------|
| ERIC BERG, KRISHNA KILAMBI | | CLIENT NO./MATTER NO. OIC0050 US |
| Method and Apparatus To Facilitate Development | | SERIAL NO 10/602,260 |
| Customer-specific Business Process Model | | FILING DATE 6/23/03 |
| SIGNEE SEEBEL SYSTEMS, INC. | | ATTORNEY SEC |
| | | PRIORITY CL. |
| | | 015-2006-394-01 |
| | | CLIENT CASE NO. SEEB193/01 US |

| | |
|---------------------------|----------------------------------|
| MAILED TO P.O. 6/23/03 | APPLN. MAILED TO P.O. 6/23/03 |
| 1/6/04 | REC'D BY P.O. 6/23/03 |
| 14232 FRAME 0554 | FOREIGN FILING INQ. |
| TO CLIENT | |

| OFFICE ACTION | DATE | RESP. DUE | PAPER FILED | DATE MAILED | RECEIPT |
|---------------|----------|----------------------------------|-----------------|-------------|----------|
| 2A | 2/13/08 | 5/13/08 | Response, EOT | 5/15/08 | 5/15/08 |
| 2A | 8/28/08 | 10/23/08 (2mo) 11/28/08 (3mo) | Response | 9/25/08 | 9/25/08 |
| Advisory | 10/7/08 | 11/28/08 | RCE | 12/8/08 | 12/8/08 |
| on final | 3/10/09 | 6/10/09 | Response | 7/10/09 | 7/10/09 |
| 2A | 10/20/09 | 12/20/09 (2mo) 1/20/10 (3mo) | Response | 12/21/09 | 12/21/09 |
| Advisory | 12/30/09 | 1/20/10 | RCE, Amendments | 1/20/10 | ✓ |
| on final | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| | | | |
|----------------------------|--------|---------|-------|
| ISSUE FEE PAID | | | |
| PATENT DATE | | | |
| PATENT FORWARDED TO CLIENT | | | |
| FEE DUE | MAILED | RECEIPT | ACK'D |
| FEE DUE | MAILED | RECEIPT | ACK'D |
| FEE DUE | MAILED | RECEIPT | ACK'D |

"Buckat"